

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.: 23-
v.	:	DATE FILED:
KIERRA N. SMITH	:	VIOLATIONS:
	:	18 U.S.C. § 1343 (wire fraud – 17 counts)
	:	18 U.S.C. § 1028A (aggravated identity theft – 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNTS ONE THROUGH SEVENTEEN

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Diamond Credit Union (“Diamond CU”) was a federally insured credit union, headquartered in Montgomery County, Pennsylvania, in the Eastern District of Pennsylvania. Diamond CU had branches in Berks County, Pennsylvania, and Montgomery County, Pennsylvania.

2. Victim L.M. and Victim B.M., a married couple, were residents of the Commonwealth of Pennsylvania. Victim L.M. and Victim B.M. (collectively, “the Victims”) were account holders at Diamond CU.

3. Defendant KIERRA N. SMITH was a resident of the state of Georgia.

4. From in or about January 2020 through in or about March 2020, in the Eastern District of Pennsylvania, the Northern District of Georgia, and elsewhere, defendant

KIERRA N. SMITH,

together with one or more co-schemers, known and unknown to the grand jury, devised and

intended to devise a scheme to defraud Victim L.M. and Victim B.M. and Diamond Federal Credit Union and to obtain money and property by means of false and fraudulent pretenses, representations, and promises.

MANNER AND MEANS

It was part of the scheme that:

5. Defendant KIERRA N. SMITH and/or an unknown co-schemer telephoned Diamond CU and pretended to be one of the Victims, that is, the legitimate customer of Diamond CU. Defendant SMITH and/or the unknown co-schemer used personal identifying information of the Victims, including the Victims' social security numbers, dates of birth, phone numbers, addresses, and email addresses, to impersonate the Victims and gain access to their account.

6. Using fraudulently procured access, defendant KIERRA N. SMITH and/or the unknown co-schemer changed, among other things, the mailing address associated with the Victims' account to an address in Georgia. Defendant SMITH and/or the unknown co-schemer then arranged for a debit card linked to the Victims' account to be mailed to the new address.

7. Defendant KIERRA N. SMITH used the fraudulently issued debit card in Victim B.M.'s name to withdraw funds from the Victims' account, and incurred transactions fees.

8. Defendant KIERRA N. SMITH and/or co-schemers used the fraudulently issued debit card in Victim B.M.'s name to purchase money orders made payable to defendant SMITH.

9. Defendant KIERRA N. SMITH endorsed the fraudulently obtained money orders in her name and cashed them at AR Financial Services in College Park, Georgia.

10. Defendant KIERRA N. SMITH's scheme caused a loss of approximately \$196,740 to Diamond CU and the Victims.

11. On or about the dates set forth below, in the Eastern District of Pennsylvania, the Northern District of Georgia, and elsewhere, defendant

KIERRA N. SMITH,

for the purpose of executing the above scheme and artifice to defraud and deprive Victim L.M. and Victim B.M. of money and property, which scheme affected Diamond Credit Union, a federally insured financial institution, caused to be transmitted by means of wire communication in interstate commerce, writings, signs, signals, pictures and sounds, that is, the electronic transfer of funds in the approximate amounts and as described below, each transmission constituting a separate count:

<u>COUNT</u>	<u>Date</u>	<u>Amount</u>	<u>Wire Start</u>	<u>Wire End</u>
1	February 21, 2020	\$2,902.64	Kroger store #465 3425 Cascade Road SW Atlanta, GA	Diamond CU server – Montgomery County, PA
2	February 21, 2020	\$483	Wells Fargo Bank – 1120 Fairburn Road Atlanta, GA	Diamond CU server – Montgomery County, PA
3	February 25, 2020	\$2,902.94	Kroger store #488 1160 Moreland Ave. SE Atlanta, GA	Diamond CU server – Montgomery County, PA

<u>COUNT</u>	<u>Date</u>	<u>Amount</u>	<u>Wire Start</u>	<u>Wire End</u>
4	February 25, 2020	\$483	Wells Fargo Bank – 2 Peachtree Street NW Atlanta, GA	Diamond CU server – Montgomery County, PA
5	February 26, 2020	\$2,905.94	Publix store #1056 3730 Carmia Drive SW Atlanta, GA	Diamond CU server – Montgomery County, PA
6	February 26, 2020	\$483	Wells Fargo Bank – 3820 Camp Creek Pkwy. SW Atlanta, GA	Diamond CU server – Montgomery County, PA
7	March 2, 2020	\$2,905.94	Publix store #1056 3730 Carmia Drive SW Atlanta, GA	Diamond CU server – Montgomery County, PA
8	March 2, 2020	\$483	Wells Fargo Bank – 3820 Camp Creek Pkwy. SW Atlanta, GA	Diamond CU server - Montgomery County, PA
9	March 8, 2020	\$2,902.64	Kroger store #672 800 Glenwood Ave. SE Atlanta, GA	Diamond CU server – Montgomery County, PA
10	March 8, 2020	\$483	Wells Fargo Bank – 1270 Caroline Street NE Atlanta, GA	Diamond CU server – Montgomery County, PA
11	March 9, 2020	\$2,902.64	Kroger store #488 1160 Moreland Avenue Atlanta, GA	Diamond CU server – Montgomery County, PA
12	March 9, 2020	\$483	Wells Fargo Bank – 1459 Moreland Avenue Atlanta, GA	Diamond CU server – Montgomery County, PA

<u>COUNT</u>	<u>Date</u>	<u>Amount</u>	<u>Wire Start</u>	<u>Wire End</u>
13	March 11, 2020	\$2,902.64	Kroger store #672 800 Glenwood Avenue Atlanta, GA	Diamond CU server – Montgomery County, PA
14	March 16, 2020	\$2,905.94	Publix store #1056 3730 Carmia Drive SW Atlanta, GA	Diamond CU server – Montgomery County, PA
15	March 16, 2020	\$483	Wells Fargo Bank – 3820 Camp Creek Pkwy. SW Atlanta, GA	Diamond CU server – Montgomery County, PA
16	March 19, 2020	\$2,905.94	Publix store #892 – 1512 Highway 74 North Tyrone, GA	Diamond CU server - Montgomery County, PA
17	March 19, 2020	\$483	Wells Fargo Bank – 1120 Fairburn Road Atlanta, GA	Diamond CU server - Montgomery County, PA

All in violation of Title 18, United States Code, Section 1343.

COUNT EIGHTEEN

THE GRAND JURY FURTHER CHARGES THAT:

From in or about January 2020 through in or about March 2020, in the Eastern District of Pennsylvania, the Northern District of Georgia, and elsewhere, defendant

KIERRA N. SMITH

knowingly and without lawful authority possessed and used a means of identification of another person, that is, the name and debit card number of Victim B.M., during and in relation to wire fraud, in violation of Title 18, United States Code, Section 1343, as charged in Counts 1 through 17, knowing that the means of identification belonged to Victim B.M.

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(5).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1343, described in Counts One through Seventeen of this indictment, defendant

KIERRA N. SMITH

shall forfeit to the United States of America any property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of such offenses.

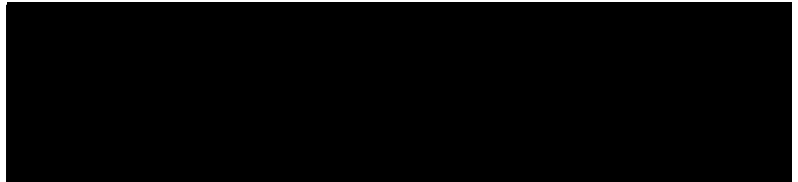
2. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28 United States Code, Section 2461(c), and Title 18 United States Code, Section 981(a)(1)(C).

A TRUE BILL:



Christine C. Romero

**JACQUELINE C. ROMERO
UNITED STATES ATTORNEY**

Criminal No.

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

KIERRA N. SMITH

INDICTMENT

Counts

18 U.S.C. § 1343 (Wire Fraud – 17 counts)

18 U.S.C. § 1028A (Aggravated Identity Theft - 1 count)

Notice of Forfeiture

A true bill.

day,